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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,032	05/28/2002	Horea-Stefan Culca	521.1014	7295

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EXAMINER	
ETTEHADIEH, ASLAN	
ART UNIT	**PAPER NUMBER**
2611	
MAIL DATE	**DELIVERY MODE**
03/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/070,032	**Applicant(s)** CULCA, HOREA-STEFAN	
	Examiner Aslan Ettehadieh	**Art Unit** 2611	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 March 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: *8,11 and 12*.
   Claim(s) objected to: _____.
   Claim(s) rejected: *5-7,9 and 10*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See below.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

David C. Payne
DAVID C. PAYNE
SUPERVISORY PATENT EXAMINER

Response to Arguments

Applicant's arguments filed 03/01/2007 have been fully considered but they are not persuasive.

Applicant's arguments regarding claim 5, *Lo and Bacigalupo do not disclose a capacity of the master device to initiate a further write operation to the slave device is dependent upon a receiving of the acknowledgement signal.* Contrary to applicant's assertion, Lo in col. 7 line 57 – col. 8 line 55 and figures 4 – 5 discloses communication between a master and any slave. Further, Lo discloses that after acknowledgement pulses, which a pulse can be interpreted as a signal, a ready signal is used, which can be interpreted as an acknowledgement signal because it is a form of acknowledgement, and a information transfer is taking place. Also, the write cycles could also be read cycles as disclosed by Lo.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, applicant discloses a data transmission device (claim 5), Lo discloses transferring of data between a first domain, master computer system, and a second domain, slave computer system (abstract). Bacigalupo discloses a data transmission system having at least one master unit and at least one slave unit (abstract). The motivation to combine Bacigalupo with Lo is found in col. 2 lines 8 – 26, where it discusses integration of microcontrollers and microprocessors on a chip (system on chip) and systems with master and slave units being integrated on them. Further, it is shown that over prior art, the arrangement of operation in the system (including the master and slave units) enables more flexible data transmission between the units connected.

Applicant's arguments regarding claims 7, 9 and 10, *the examiner has not addressed the remarks presented in the response dated December 13, 2006.* Contrary to applicant's assertion, the response dated December 13, 2006 stated for claim 7 that "Siu does not suggest the limitations discussed above that are missing form Lo and Bacigalupo", the discussion above that statement was in reference to claim 5 which the office action dated 01/17/2007 address that Lo and Bacigalupo disclosed all limitations of claim 5. Also, applicant's arguments regarding claims 9 and 10 are similar to the response given for claim 7.